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REMARKS

Claims 1, 3-8, 12-18, 22, 24-26, and 28-46 are now pending in this application for which applicants seek reconsideration.

Amendment

The continuation status has been updated.

Claims 9, 19, and 27 have been canceled, and new claims 35-46 have been added. Independent method claim 35 corresponds to claim 24, independent method claim 36 corresponds to claim 25, but broader in scope, independent method claim 37 corresponds to claim 26, but broader in scope, and independent method claim 38 corresponds to claim 29, but broader in scope. Remaining new claims 39-46 depend from the new independent claims.

Claims 1, 3-5, 12, 15, 22, 24-26, 29, and 32 have been amended. Claims 3-5 have been amended to change "memory" to --memory unit-- to improve their form. Claim 32 has been amended to remove the antecedent basis problem identified by the examiner. Lastly, independent claims 1, 12, 22, 24-26, and 29 have been amended to further define the invention, as well as to change the language form (e.g., "for feeding" to --that feed--). Specifically, independent claims 1, 12, 22, 24-26, and 29 now include the feature of inhibiting or permitting selection of another/second feeder based upon certain conditions.

The present application includes the language "one of" or "at least one of" "X and Y" in describing the alternatives (X, Y) or a combination thereof. The passage "one of" or "at least one of" should be interpreted as modifying the entire list "X and Y," not each of the individual members in the list. *See Contra Superguide Corp. v. DirecTV Enterprises, Inc.*, 358 F.3d 870, 69 USPQ2d 1865 (Fed. Cir. 2004). For clarity, the term "and" in the list has been changed to --or-- in the claims. In any event, regardless whether "or" or "and" is used in the list, the "one of" or "at least one of" should be interpreted as modifying the entire list, not each of the individual members in the list.

No new matter has been introduced.

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Allowed and Allowable Claims

Claims 28, 30, 31, 33, and 34 were allowed and claim 32 was indicated to be allowable if the informality identified by the examiner is removed. As the informality has been removed, claim 32 is in condition for allowance.

Objection to Abstract

The Abstract was objected to because it contains "said." Please see the Preliminary Amendment filed with this application, which removed that term in the Abstract.

Art Rejection

Claims 1, 3-9, 12-19, 22, 24-27, and 29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Yoshino (USP 5,289,236) in view of Hirooka (JP 11-48580). Applicants submit that this rejection has been rendered moot because the combination, even if it were deemed proper for argument's sake, would not have taught inhibiting or allowing selection of another/second sheet feeder, as set forth in independent claims 1, 12, 22, 24-26, 29, and 35-38.

Claims 1, 12, and 22 call for selecting one of a plurality of feeders in accordance with at least one of the sheet sizes, the sheet types other than sheet sizes, or the stored priorities. These claims further call for inhibiting a selection of another feeder that contains sheets having a different size from that of the sheets of the selected one feeder, 1) when the another feeder contains sheets of a different sheet type from that of the sheets of the selected feeder based on at least the stored priorities, and 2) when the another feeder contains sheets of a same sheet type as that of the sheets of the selected feeder based on at least the sheet types stored in a memory unit.

Claims 24 and 35 call for selecting one of a plurality of feeders in accordance with the data related to sheet types other than sheet sizes associated with the feeders, and selecting another feeder that contains sheets of a same type as a sheet type of sheets of the selected one feeder, based on the data related to sheet types, when the selected feeder has run short or out of sheets during an image forming operation. When a predetermined setting is performed, the claims call for selecting another feeder that contains sheets of a different type from that of

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the sheets of the selected feeder when the selected feeder has run out of sheets during an image forming operation and there is no other feeder that contains sheets of the same type as that of the sheets of the selected feeder.

Claims 25 and 36 call for selecting one of a plurality of feeders based on at least one of first or second data stored in association with the feeders. These claims further call for inhibiting a selection of another feeder that contains sheets of a different size from that of the sheets of the selected one feeder, 1) when the another feeder contains sheets of a different sheet type from that of the sheets of the selected feeder based on at least the first data, and 2) when the another feeder contains sheets of a same sheet type as that of the sheets of the selected feeder based on at least the second data.

Claim 26 and 37 call for selecting one of a first operation or a second operation, inhibiting, when the first operation is selected, use of a second storage unit after a first storage unit has been used, when the second storage unit is for storing sheets of a second type but stores sheets of the first size, and permitting, when the second operation is selected, use of the second storage unit after the first storage unit has been used, when the second storage unit is for storing sheets of the second type but stores sheets of the first size.

Claims 29 and 38 call for a first storage unit for storing sheets of a first size and a first type, and a second storage unit. These claims further call for permitting use of the second storage unit after the first storage unit has been used, when the second storage unit stores sheets of the first size and the first type, and inhibiting use of the second storage unit after the first storage unit has been used, when the second storage unit stores sheets of the first size and a second type, and when the second storage unit stores sheets of a second size and the first type.

Yoshino discloses, if the selected paper runs out during successive paper feeding, selecting a paper supply cassette with higher priority size papers from paper supply cassette 7, 31a, 31b, and 31c according to the priority data of the changing sequence of paper sizes set in a non-volatile memory 72. See column 6, lines 54-64. Thus, Yoshino discloses selecting an alternative paper supply cassette based on the priority data of the changing sequence of paper sizes. Hirooka discloses that when a sheet having the designated attributes or a corresponding

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paper feeding port is not present during sheet selection, an error message is given and designated attributes are checked with a specified priority, and a process for selecting an alternative sheet is carried out. See the Abstract. Thus, Hirooka discloses selecting an alternative sheet based on the sheet attributes (corresponding to sheet types).
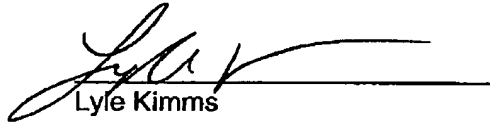
The combination at best would have merely taught selecting the alternative paper supply cassette based on the sheet sizes or the sheet types other than sheet sizes. But neither Yoshino nor Hirooka would have suggested or taught permitting or inhibiting selection of another or second feeder based on the conditions identified above, as set forth in independent claims 1, 12, 22, 24-26, 29, and 35-38.

Conclusion

Applicants submit that claims 1, 3-8, 12-18, 22, 24-26, and 28-46 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicants urge the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

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Date

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